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NATIONAL COMMUNICATIONS FROM PARTIES INCLUDED IN ANNEX I TO THE CONVENTION: EXPERIENCE WITH THE REVIEW OF SECOND NATIONAL COMMUNICATIONS

Note by the secretariat

CONTENTS

		Paragraphs	Page
I.	INTRODUCTION	1 - 3	3
	A. Mandate	1	3
	B. Scope of the note	2	3
	C. Possible action by the SBI	3	3
II.	EXPERIENCE WITH THE IN-DEPTH REVIEWS OF SECOND NATIONAL COMMUNICATIONS	4 - 11	3
	A. Background	4 - 5	3
	B. Experience with the second round of in-depth reviews	6 - 11	4

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		Paragraphs	Page
III.	OPTIONS FOR THE IN-DEPTH REVIEWS OF THIRD NATIONAL COMMUNICATIONS	12 - 27	7
A.	Background	12 - 13	7
B.	Possible coverage of in-depth reviews	14 - 16	8
C.	Possible structure of future in-depth reviews	17	8
D.	Possibilities for conducting in-depth reviews	18 - 20	9
E.	Suggestions for the selection and preparation of experts	21 - 24	9
F.	Options to speed up the publication of in-depth review reports	25 - 27	10

I. INTRODUCTION

A. Mandate

1. The Subsidiary Body for Implementation (SBI) at its tenth session requested the secretariat to prepare a report on experience with the review of second national communications, including suggestions for avoiding delays in the publication of reports in the future, for consideration at its twelfth session (FCCC/SBI/1999/8, para. 23 (c)).

B. Scope of the note

2. In response to the above mandate, this note describes the experience with the second round of in-depth reviews, mainly of second national communications. In this regard, it describes the attributes of reviews and the associated reports and also notes those aspects which assisted or hindered the review process. This raises a number of issues which may be taken into account when giving consideration to the in-depth reviews of third national communications from Annex I Parties, due by 30 November 2001. The note addresses ways in which the review process could be enhanced, including ways that may reduce delays in the publication of in-depth review reports.

C. Possible action by the SBI

3. The SBI may wish to consider the information contained in this note. A number of options are presented for possible changes to the third round of in-depth reviews. In considering these options, the SBI may wish to provide guidance to the secretariat on the continuation of its preparations for the review of third national communications, including the possibility of drafting guidelines for conducting reviews of Annex I national communications and the structure of in-depth review reports for consideration at a future session. These options could speed up preparation of in-depth review reports in a direct or indirect way.

II. EXPERIENCE WITH THE IN-DEPTH REVIEWS OF SECOND NATIONAL COMMUNICATIONS

A. Background

4. Decision 2/CP.1 determined that each national communication submitted by an Annex I Party should be subject to an in-depth review and it established basic procedures for that review. Decision 9/CP.2 requested that these procedures also be applied to in-depth reviews of second national communications. The only amendment to these procedures resulted from decision 6/CP.3, namely that, as a general rule, in-depth reviews should include visits of review teams coordinated by the secretariat. Although not previously stipulated, this had been common practice.

5. The procedures laid out in decision 2/CP.1 determine that review teams should be coordinated by the secretariat, mainly be composed of experts nominated by Parties and, as appropriate, include experts from intergovernmental organizations. They further set out how each review team should produce, under its collective responsibility, a short report covering each of the main sections in the national communications. The decision also establishes the purpose and tasks of review, but does not stipulate in any detail what the review should consider or how it should be conducted. The key purpose of review is to ensure that the Conference of the Parties has accurate, consistent and relevant information at its disposal to assist it in carrying out its responsibilities, including to assess the implementation of the Convention by Parties. Under the tasks, the review process, *inter alia*, should undertake the review of key qualitative data, review policies and measures, assess information against Convention commitments and describe progress in the limitation of GHG emissions. Combined, the purpose and tasks present a significant role for review, whilst the need to produce a report with a suggested length of 10 pages places a significant constraint on the ability of a review team to fulfil this role, even though in practice reports are between 25 and 27 pages in length.

B. Experience with the second round of in-depth reviews

6. The first round of reviews that took place in the period 1995 - 1997 covered the first national communications from Annex I Parties; the second round in the period 1998 - 2000 covered second national communications from the same Parties and some first national communications that were either overdue or had been submitted by Parties that had recently joined Annex I. The third round, beginning in 2002, will cover third national communications from the majority of Annex I Parties, second national communications from some Annex I Parties and first national communications from those Parties included in Annex I as a result of decision 4/CP.3.

7. The first stage of the in-depth review process has been the compilation and synthesis report (FCCC/CP/1998/11 and Add. 1-2). This presents country information in a way that facilitates comparisons. This has been particularly helpful in the early stages of a review when considering inventory estimates and emission trends. For other aspects of the national communication the nature of the compilation and synthesis reports is such that information on individual Parties, for example on their policies and measures, is usually too condensed to serve as a basis for preparing in-depth reviews.

8. Given the greater familiarization of Parties with the process and hence the greater availability of information, the second in-depth review reports have been able to cover subjects in greater detail than those following the first round of review, but the nature of the reports has not changed. The in-depth review reports cover each major section of the national communications. In doing so they expand on and complement the information already given and provide information which has become available since the publication of the national communication. Much of the information is relevant to consideration of a Party's implementation of its commitments under the Convention. However, aside from, typically,

noting progress towards the aim of stabilizing greenhouse gas emissions at the 1990 level by the end of the decade, a review report is not aimed at commenting specifically on implementation issues. Furthermore, a report does not contain any recommendations or policy advice. The reports also allow for easier comparison of information between Parties, although no common indicators are employed.

9. The in-depth review process has many valuable attributes. The review process is mutually beneficial to the experts involved and the officials in the host country, particularly as the exchange of ideas and information is highly productive for capacity-building purposes. In some areas government officials would only be aware of the climate change context of their work to a limited extent, as most policy is related to different goals. The review process and the final report stimulates wider debate between government agencies and various stakeholders in climate change issues and hence influences policy choices. The availability of in-depth review reports also assists in raising general public awareness. Furthermore, the in-depth reviews can assist Parties in preparing their subsequent national communication, especially when the team makes informal recommendations or when review team members contribute to preparing their own Parties' national communications.

10. Reviews were generally more successful where initial questions were sent in advance to Parties and where Parties took the time to prepare answers for the review team, so that time could then be devoted during the visit to the deeper exploration of issues. Early preparation of an agenda was also beneficial, especially when this helped to ensure that national experts were available during the in-depth review visit. In general, the more attention paid by the Party concerned to the process the more successful the review in terms of analysis of existing policies and understanding directions for future action.

11. There are a number of challenges in the conducting of in-depth reviews which should be taken into account when considering the future review process:

(a) Even when a team is made up of high quality experts with a wide range of experience, typically, due to the small size of the team, it cannot encompass every aspect of the review which should cover, *inter alia*, national circumstances, inventories, policies and measures, projections, education, research and systematic observation, activities implemented jointly, finance and technology transfer. Most experts are able to broadly participate in most aspects of a review. However, not all nominated experts have the appropriate expertise; they may, for example, only be knowledgeable about a highly specialized area which takes up a small fraction of the review. In some cases, the experts may have problems in participating due to language difficulties.

(b) Nominated experts have competing demands on their time. Frequently they are not fully prepared for a review because they have not had time to study the national communication and related documents in sufficient detail. In addition, the contributions of

experts subsequent to the review can vary substantially depending upon their other commitments, and, in general, it is not uncommon to have limited contributions for this reason.

(c) The review team face a time constraint in the consideration of issues during an in-depth review visit and may find it hard to write up all the information obtained within the page limit constraint. Frequently, more time is needed than can be devoted during a review to give an area the full consideration it deserves. This is especially true for GHG inventories and for projections, many of which are based on sophisticated models and cannot be discussed in enough detail due to time constraints.

(d) The review team are almost entirely dependent upon the country being reviewed for the provision of useful and timely information. In some countries, especially where climate change is not a high priority, it may be difficult to gain access to the appropriate officials and data. Given the importance of the visit as part of the current review process any disruption such as the requirement for officials to attend other meetings or lack of availability due to illness can cause considerable difficulties for the review. Furthermore, countries vary in the extent to which additional information is made available in English or another UN language.

(e) One feature of the review process is the clustering of reviews at peak periods. This occurs as Parties wish to invite review teams when the majority of their national experts are available and not too close to UNFCCC subsidiary body meetings. During these peaks the secretariat is expected to organize several visits, involving the arrangement of experts' travel, accommodation, visas, the establishment of agendas and so forth, with the host country. In some cases this work subsequently needs to be duplicated as it is not uncommon for reviews to be cancelled or postponed by the host country with limited notice. In these circumstances, it is difficult to simultaneously complete the review reports of earlier visits.

(f) The time between an in-depth review visit and publication of the report can take as long as 18 months in some cases. Most of the delay in producing an in-depth review report is attributable to the time taken for responses from expert reviewers and Parties to requests for information by the secretariat or for comments on draft in-depth review reports. Despite Parties being urged to submit their comments on the draft in-depth review reports, if possible not later than eight weeks following receipt, as contained in decision 6/CP.3, it is not uncommon for much longer periods to elapse. Similarly, owing to other commitments or absence, expert reviewers are often unable to provide prompt responses to the secretariat.

(g) The review process envisages that expert review teams should produce the IDR reports under their collective responsibility. This is not possible during the in-country visit which is taken up by meetings with officials and focuses upon collecting useful information. After the visit, owing to the constraints upon experts, in practice it is the secretariat which drafts IDR reports based on inputs and comments provided by experts. These drafts are often produced with some delay, since review officers need to handle simultaneously preparations for the next visit or visits and participate in ongoing work on other secretariat activities. Draft reports

undergo a thorough internal peer review to ensure consistency in approaches and adequate quality, which also takes time.

(h) During the second round of in-depth reviews, the amount of information made available to the review team was substantially more voluminous than for the first round of reviews. The secretariat has endeavoured to give careful consideration to this large volume of information, resulting in more detailed reports than produced before. In these circumstances and given the secretariat resources devoted to review, including limited secretarial, editing and documentation processing resources, publishing reports within the short timescale established in the procedures has been a significant challenge. In addition, the review officers are expected to share the knowledge gained through the review process by means of other secretariat activities, such as preparing guidelines for the technical review of GHG inventories, guidelines for the preparation of national communications and participation in the methodological work related to Articles 5, 7 and 8 of the Kyoto Protocol, and this has an impact on the time within which review reports can be finalized.

III. OPTIONS FOR THE IN-DEPTH REVIEWS OF THIRD NATIONAL COMMUNICATIONS

A. Background

12. Decision 11/CP.4 requests Annex I Parties to submit to the secretariat a third national communication by 30 November 2001 and subsequent national communications on a regular basis, at intervals of three to five years, to be decided at a future session of the COP. This decision implies that the in-depth reviews of the third national communications will take place during the period 2002 to 2003. There have been several changes to reporting and review since the second round of in-depth reviews which are relevant to consideration of the future review process.

13. The Conference of Parties at its fifth session adopted four sets of guidelines on reporting and review. The guidelines for the preparation of national communications by Parties included in Annex I to the Convention are now in two parts. Part I, adopted by decision 3/CP.5, covers UNFCCC reporting guidelines on annual inventories and are to be used by Parties in reporting inventories due by 15 April each year, starting in 2000. Part II, adopted by decision 4/CP.5, covers UNFCCC reporting guidelines on national communications. UNFCCC reporting guidelines for global climate observing systems (GCOS) were adopted by decision 5/CP.5. All Parties are invited to report on systematic observation in accordance with these guidelines. Annex I Parties are invited to report in conjunction with their national communication. In addition, Part II of the UNFCCC reporting guidelines requests summary information about GCOS. Guidelines for the technical review of greenhouse gas inventories from Parties included in Annex I to the Convention were adopted by decision 6/CP.5. The decision requests that these guidelines be used during the 2000 to 2001 trial period of technical inventory reviews and determines that individual reviews of inventories for all Annex I Parties will be initiated in 2003.

The pilot phase of activities implemented jointly (AIJ) is to be continued, in accordance with decision 13/CP.5, and Parties are encouraged to report information annually. Part II of the UNFCCC reporting guidelines on national communications does not request information about AIJ activities, but does request summary information about GCOS.

B. Possible coverage of in-depth reviews

14. Future in-depth reviews should cover information provided in national communications, but, taking into account the COP5 decisions related to guidelines, could be further limited in two respects:

(a) Given that information about inventories is to be reported separately with only summary data included in the national communications and that a separate technical review procedure has been established for inventories, Parties could consider excluding the review of national inventories as part of the review of national communications (although analysis of information on inventories, such as trends, may still be included in in-depth review reports).

(b) Experts on global climate observing systems (GCOS) are usually highly specialized. For this reason, a separate process could be established using such experts to review this aspect of the reporting of Annex I Parties. Parties could opt for such a review to be conducted periodically on a paper only basis, without a country visit, resulting in a separate synthesis report on the status of GCOS. Alternatively, GCOS could be reviewed as part of the review of national communications.

15. As activities implemented jointly (AIJ) under the pilot phase are reported separately, this will not form part of the review of national communications. Parties can consider whether AIJ need to be reviewed and, if so, what review procedures are required, and whether it should be part of in-depth review.

16. Parties may also wish to consider what level of detail is required when reviewing projections, in particular. Having reliable information on projections and their methodologies would significantly enhance their credibility and could assist Parties in planning and monitoring implementation of their policies and measures. In giving further consideration to the review of various aspects of the national communication, Parties could take into account secretariat work in other areas, for example on best practices in policies and measures. So, consideration can be given to devoting an adequate amount of resources during a review to particular areas such as projections and policies and measures.

C. Possible structure of future in-depth reviews

17. Instead of a single report, Parties can consider splitting the review into two or three stages for each Party. Stage I could relate to the adherence of a Party to UNFCCC reporting guidelines. A short status report could be produced and published on the secretariat web site. Stage II could

provide clarifications of information contained in the national communication and updated information. This could result in a report similar to the current in-depth review reports. Currently, consideration is given to adherence to reporting guidelines as part of the overall process, so having a review in two stages would formalize the separate consideration of reporting commitments. The third round of in-depth reviews could be limited to stages I and II or expanded to include a third stage. Stage III could relate to an assessment of the implementation of the Convention by the Party, in line with the stated purpose of the review in decision 2/CP.1, reiterated thereafter, taking into account that the third national communications would most probably indicate to what extent the aim of the Convention, to return greenhouse gas emissions to the 1990 level by the end of the decade, has been met. Parties could also decide that a report on stage III incorporates non-binding recommendations by the review team. In this way, Parties would be establishing a process that would provide useful experience in the preparation of the future review process under Article 8 of the Kyoto Protocol. For example, review teams could consider what type of information is useful for the consideration of implementation issues.

D. Possibilities for conducting in-depth reviews

18. If Parties choose to split the in-depth reviews into different stages then guidance may be provided for conducting each stage. Stage I could be conducted immediately upon receipt of the national communication. The secretariat could communicate to a Party where there are gaps in reporting or where the national communication lacks clarity. Parties would be provided with an opportunity to furnish additional information in the format required by the UNFCCC reporting guidelines. If information was not available, Parties could be requested to provide an explanation. This process could help to provide complete information before the next stage of the review process and identify common reporting problems for Annex I Parties which could be of relevance in future updating of reporting guidelines.

19. Stage II could be based upon a paper review. After receiving the national communication, experts could send via the secretariat questions and requests for new information and/or additional documentation to the Parties. Deadlines could be established for this iterative process.

20. Stage III could be based upon a review team visit. The agenda for the visit would be agreed well in advance to ensure that the experts have sufficient time to address all key issues. If the review, by mutual consent, is limited to stages I and II then a review team visit could be included in stage II.

E. Suggestions for the selection and preparation of experts

21. Parties could consider increasing the size of the review team. For visits, the review team could include local country experts, for example from nongovernmental organizations as observers. Further consideration could be given to increasing the length of the visit and follow-up visits, where thought necessary.

22. The selection of experts for in-depth review teams is a crucial factor in ensuring the quality of review. Many Parties have not yet nominated experts and are invited to consider doing so before the third round of reviews. Other Parties may wish to consider whether there is a need to update their nominations. The current nomination form only requires experts to stipulate whether they are knowledgeable in five broad areas, namely general climate change response policy, greenhouse gas inventories, projections of greenhouse gas emissions and removals, analysis of policies and measures and finance and technology transfer. Consideration could be given to stipulating minimum qualifications or applying a more rigorous selection procedure for the third round of review. Furthermore, this could encompass a commitment by experts and their respective employers that time will be available for their full participation in a review which includes several days' or weeks' work depending on the type of review.

23. There are several ways in which preparation for in-depth reviews and, in particular, in-depth review visits could be enhanced. It could be decided that experts meet in a single location prior to a visit in order to make their preparations. Furthermore, training or orientation could be provided for experts, facilitated by the secretariat.

24. There will be a lag of several years between the preparation of the second and third national communications for most Annex I Parties, during which time many experts will have move.[1] position and the institutional knowledge about the national communication process may be limited. This is one reason why Annex I Parties may wish to consider holding a workshop to exchange information about preparations for third national communications.

F. Options to speed up the publication of in-depth review reports

25. A smoothing out of review visits over the course of the year would be more conducive to the timely production of review reports. Parties could establish a fixed schedule of evenly spaced out visits well in advance of the third round of reviews. Parties may wish to consider whether this schedule needs to be formally adopted by the SBI. This would also provide both the secretariat and Parties with sufficient time to agree agendas and ensure the availability of officials and review team members.

26. There are a number of ways in which the time between the initiation of the review of a national communication and the publication of the final report could be reduced. The greater the resources available to the secretariat the more time would be available to make all the necessary logistical arrangements, to coordinate the review, to produce the report and complete the documentation procedures leading to final publication. This is likely to speed up the process as, at present, the review team officers have other competing demands on their time, given the increasing workload of the secretariat. In giving consideration to resource needs, it should also be borne in mind that an increase in the number of Annex I Parties will lead to a higher number of national communications to be reviewed in the third round than in the second round. Parties may need to consider providing extra resources, if they wish to complete the in-depth review process within two years in accordance with current practice. Parties may instead consider

whether a two and a half to three year time period for conducting the third round of in-depth reviews is more practicable. Furthermore, Parties may note that the secretariat has received a request from a non-Annex I Party to be reviewed and should consider how the secretariat may respond.

27. Even if resources are increased, considerable delays in the publication of reports are likely to remain unless the practices of Parties change. Formal deadlines already exist, so greater commitment is called for from those involved in the review process.

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